

### **REMARKS**

Claims 1-19 and 21-34 remain pending in the present application. Claims 20, 35 and 36 have been cancelled. Claims 1, 2, 21, 22, 23 and 29 have been amended. Basis for the amendments can be found throughout the specification, claims and drawings as originally filed. The Examiner indicated on the Official Action Summary that the withdrawn claims are not pending in the application. Applicants believe the withdrawn claims are pending in this application and that they are entitled to rejoinder as indicated below.

### **DRAWINGS**

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "first clearance, second clearance" must be shown or the feature(s) canceled from the claim(s). Applicants respectfully traverse this rejection. The drawings show a first clearance adjacent the first side of the flange (there can be a zero or minute clearance) and a second clearance adjacent the second side of the flange. Withdrawal of the objection is respectfully requested.

### **SPECIFICATION**

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: *"a first clearance adjacent the first side of the flange and a second clearance adjacent the second side of the flange, the second clearance being greater than*

*the first clearance” recited in claim 1.* The specification has been amended to overcome the objection. Withdrawal of the objection is respectfully requested.

#### **REJECTION UNDER 35 U.S.C. § 102**

Claims 1, 20, 21, 23, 24, 29, 30, 32, 33 and 35 are rejected under 35 U.S.C. § 102(b) as being anticipated by any one of Fukui (U.S. Pat. No. 5,505,595) or Bass, et al. (Bass) Suzuki (U.S. Pat. No. 6,086,335). Applicants respectfully traverse this rejection. Claim 1 has been amended to include the limitations of Claim 20 as well as the limitation that the bolt extends entirely through the mounting bore and is threadingly received by the housing.

Fukui (U.S. Pat. No. 5,505,595) discloses a bolt 319 which extends entirely through mounting bore 333a to be threadingly received by housing 320, but Fukui fails to disclose an axially compliant mounting structure as defined by Claim 1. Column 2, lines 18-24 of Fukui states that fixed scroll 330 is fixedly attached to annular projection 322 of inner block 320. “Thus, fixed scroll 330 is fixedly disposed within the interior of housing 310”. Also, there is no incentive to add the axially compliant system to Fukui because to do so would allow separation of the scrolls creating a non-functioning compressor unless an axial biasing system is also added to Fukui.

Regarding Bass, et al. (U.S. Pat. No. 6,086,335), piston 714 in Bass, et al. is not a bolt, it does not extend entirely through the mounting bore in the flange of the scroll member and it is not threadingly received by they housing.

Thus, Applicants believe Claim 1, as amended, patentably distinguishes over the art of record. Likewise, Claims 20, 21, 23, 24, 29, 30, 32 and 33, which ultimately

depend from Claim 1, are also believed to patentably distinguish over the art of record. Claim 35 has been cancelled. Reconsideration of the rejection is respectfully requested.

#### **REJOINDER**

Applicants respectfully request the rejoinder of withdrawn Claims 4, 7, 10, 13, 16, 19, 22, 25, 28, 31 and 34. Claim 36 has been cancelled.

#### **CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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